

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: GENERIC PHARMACEUTICALS
PRICING ANTITRUST LITIGATION

MDL 2724
16-MD-2724

THIS DOCUMENT RELATES TO:

*Molina Healthcare, Inc. v. Actavis Elizabeth, LLC,
et al.*

HON. CYNTHIA M. RUFÉ

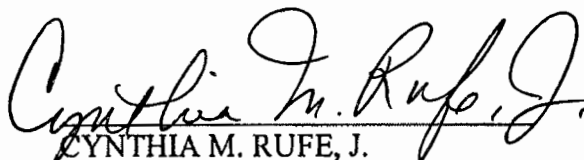
Individual Case No. 2:20-cv-00695-
CMR

ORDER

AND NOW, this 13th day of Feb., 2020, upon consideration of the attached Joint Stipulation to Waive Service and Extend the Deadline for Defendants to Respond to Plaintiff Molina Healthcare, Inc.'s December 27, 2019 Complaint, it is hereby ORDERED that the Stipulation is APPROVED.

It is so ORDERED.

BY THE COURT:


CYNTHIA M. RUFÉ, J.

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Individual Case No. 2:20-cv-00695-
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**JOINT STIPULATION TO WAIVE SERVICE AND EXTEND THE
DEADLINE FOR DEFENDANTS TO RESPOND TO PLAINTIFF
MOLINA HEALTHCARE, INC.'S DECEMBER 27, 2019 COMPLAINT**

WHEREAS, Plaintiff, Molina Healthcare, Inc. ("Molina") filed a Complaint on December 27, 2019 in the Northern District of California entitled, *Molina Healthcare, Inc. v. Actavis Elizabeth, LLC, et al.*, No. 3:19-cv-08438 ("Molina's December 27, 2019 Complaint"), which was transferred on February 5, 2020 by the United States Judicial Panel on Multidistrict Litigation to the Eastern District of Pennsylvania, assigned Case No. 2:20-cv-00695-CMR, and centralized for pretrial proceedings as part of *In re Generic Pharmaceuticals Pricing Antitrust Litigation*, No. 16-md-2724-CMR, MDL No. 2724;

WHEREAS, Molina's December 27, 2019 Complaint is based, in part, on substantially similar facts and allegations as those raised against certain Defendants in the complaint filed by Plaintiff States on May 10, 2019 in *State of Connecticut et al. v. Teva Pharmaceuticals USA, Inc.* (the "Plaintiff States' May 10, 2019 Complaint"), Case No. 19-cv-2407-CMR, which has also been centralized for pretrial proceedings as part of MDL 2724;

WHEREAS, in an Order dated July 25, 2019, the Court adjourned responsive pleadings and/or motions to the Plaintiff States' May 10, 2019 Complaint until such time as the Court

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enters an order setting a schedule for responses to that complaint (see MDL Doc. No. 1058, approving stipulation);

WHEREAS, the parties agree that responses to the pleadings in this action should be accomplished efficiently and in consideration of the Court's existing MDL scheduling orders;

WHEREAS, Defendants Actavis Elizabeth, LLC; Actavis Holdco US, Inc.; Actavis Pharma, Inc.; Akorn, Inc.; Amneal Pharmaceuticals, Inc.; Apotex Corp.; Ascend Laboratories, LLC; Aurobindo Pharma USA, Inc.; Breckenridge Pharmaceutical, Inc.; Camber Pharmaceuticals, Inc.; Citron Pharma, LLC; Dr. Reddy's Laboratories Inc.; Emcure Pharmaceuticals, Ltd.; Epic Pharma, LLC; Fougera Pharmaceuticals Inc.; Generics Bidco I, LLC; Glenmark Pharmaceuticals Inc., USA; Greenstone LLC; G&W Laboratories, Inc.; Heritage Pharmaceuticals Inc.; Hi-Tech Pharmacal Co., Inc.; Impax Pharmaceuticals, LLC f/k/a Impax Pharmaceuticals, Inc.; Lannett Company, Inc.; Lupin Pharmaceuticals, Inc.; Mayne Pharma, Inc.; Morton Grove Pharmaceuticals, Inc.; Mylan, Inc.; Mylan, N.V.; Mylan Pharmaceuticals, Inc.; Oceanside Pharmaceuticals, Inc.; Par Pharmaceutical, Inc.; Par Pharmaceutical Companies, Inc.; Perrigo Company Plc; Perrigo New York, Inc.; Pfizer, Inc.; Sandoz, Inc.; Sun Pharmaceutical Industries, Inc.; Taro Pharmaceuticals Industries Ltd.; Taro Pharmaceuticals USA, Inc.; Teligent, Inc.; Teva Pharmaceuticals USA, Inc.; UDL Laboratories Inc.; Upsher-Smith Laboratories, LLC; Valeant Pharmaceuticals International; Valeant Pharmaceuticals North America LLC; VersaPharm, Inc.; West-Ward Pharmaceuticals Corp.; Wockhardt USA LLC; Zydus Pharmaceuticals (USA) Inc. (collectively "Stipulating Defendants") have agreed to waive service of Molina's December 27, 2019 Complaint and the parties have reached an agreement to extend the time within which the Stipulating Defendants must move against, answer, or otherwise respond to Molina's December 27, 2019 Complaint;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the undersigned counsel, on behalf of their respective clients, as follows:

1. The Stipulating Defendants waive service of Molina's December 27, 2019 Complaint and Summonses pursuant to Federal Rule of Civil Procedure 4(d), and this Stipulation shall be deemed proof of that waiver pursuant to Federal Rule of Civil Procedure 4(d)(4).
2. The deadline for the Stipulating Defendants to move against, answer, or otherwise respond to Molina's December 27, 2019 Complaint is ADJOURNED until such time as the Court orders for the filing of response(s) to complaints that were filed on or after May 10, 2019.
3. This stipulation does not constitute a waiver by the Stipulating Defendants of any defense, including but not limited to those defenses provided under Federal Rule of Civil Procedure 12, except that the Stipulating Defendants do not contest personal jurisdiction.

IT IS SO STIPULATED.

Dated: February 11, 2020

LOWEY DANNENBERG, P.C.

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